



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 04/02/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD) . No.1101 of 2022

1. Ganesh @ Ganesan
2. Alphonsa

... Petitioners/Accused No.1 & 2

Vs

The state represented by
The Inspector of Police,
Pazhugal Police Station,
Kanyakumari District.
(Crime No. 6 of 2022).

... Respondent/Complainant

For Petitioners: M/s.Srinivasaragavan.D,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 6 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 & 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.6 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 07.01.2022, at about 07.50 p.m, the daughter of the complainant was attending online class through mobile phone, she received a whatsapp voice message from the petitioners containing lot of defamatory sentences against her and her daughter. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the defacto complainant is none other than the sister-in-law of the second petitioner. It is a family dispute between the parties. Due to previous motive, trouble



4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is some sort of dispute between the complainant and the second petitioner. Already the son of the defacto complainant sent a voice message containing some sort of defamatory allegation against the second petitioner. With retaliative intention, this occurrence said to have taken place.

5. Considering the facts and circumstances of the case and also considering the fact that it is a family dispute between the close relatives, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate Court No.I, Kuzhithurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

04/02/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE NO.I
KUZHITHURAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
KANNIAKUMARI DISTRICT.

<https://hcservices.mca.gov.in/>



3 THE INSPECTOR OF POLICE
PAZHUGAL POLICE STATION,
KANYAKUMARI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.SRINIVASARAGAVAN.D. Advocate SR.No.824

ORDER

IN

CRL OP(MD) No.1101 of 2022

Date :04/02/2022

SS/SBN/SAR-III/11.02.2022 : 3P/6C